

# **EXHIBIT 1**

Hinger  
Declaration

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

NATIONAL EDUCATION  
ASSOCIATION; *et al.*,

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT OF  
EDUCATION; *et al.*,

*Defendants.*

Case No. 1:25-cv-00091-LM

**DECLARATION OF SARAH HINGER  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR PRELIMINARY INJUNCTION**

Sarah Hinger, pursuant to the penalty of perjury under 28 U.S.C. § 1746, does hereby state the following:

I am an attorney with the American Civil Liberties Union Foundation and counsel to Plaintiffs in this action. I submit this Declaration in support of Plaintiffs' motion for a preliminary injunction.

Attached to this Declaration are true and correct copies of the following exhibits referenced in the Memorandum in Support of Plaintiffs' Motion for Preliminary Injunction:<sup>1</sup>

- A. Letter from U.S. Dep't of Educ. to Colleagues (Feb. 14, 2025),  
<https://perma.cc/7YT7-65SV>.

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<sup>1</sup> Lengthy exhibits marked with an asterisk have been excerpted.

- B. Press Release, U.S. Dep’t of Educ., Office for Civil Rights Initiates Title VI Investigations into Institutions of Higher Education (Mar. 14, 2025),  
<https://perma.cc/9GJ9-LBYK>.
- C. Letter from U.S. Dep’t of Educ. & U.S. Dep’t of Just. to Colleagues (Aug. 14, 2023), <https://perma.cc/69WH-NECT>.
- D. U.S. Dep’t of Educ., Questions and Answers Regarding the Supreme Court’s Decision in *Students for Fair Admissions, Inc. v. Harvard College and University of North Carolina* (Aug. 14, 2023), <https://perma.cc/V7Z6-XMCM>.
- E. U.S. Dep’t of Educ., Off. of the Undersec’y, Strategies for Increasing Diversity and Opportunity in Higher Education (Sept. 28, 2023), <https://perma.cc/52W4-XJFR>.
- F. Press Release, U.S. Dep’t of Educ., U.S. Department of Education Launches “End DEI” Portal (Feb. 26, 2025), <https://perma.cc/8737-NAA9>.
- G. U.S. Dep’t of Educ., End DEI Portal, <https://perma.cc/GYS3-J2GR>.
- H. U.S. Dep’t of Educ., Off. for C.R., Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act (Feb. 28, 2025), <https://perma.cc/D63A-7MD9>.
- I. Redacted Declaration of Member A.
- J. Declaration of Member B, Valerie Wolfson.
- K. Declaration of Member C, Sarah Gahm.
- L. Redacted Declaration of Member D.
- M. Declaration of Member G, Nadia Behizadeh.
- N. Redacted Declaration of Member E.

- O. Declaration of the National Education Association-New Hampshire.
- P. Redacted Declaration of Member I.
- Q. Declaration of Member H, Olga Darlene Mosely.
- R. Redacted Declaration of Member F.
- S. Declaration of the National Education Association.
- T. Tenn. State Bd. of Educ., *Tennessee Social Studies Standards* (2017),  
[https://www.tn.gov/content/dam/tn/education/standards/ss/Social\\_Standa\\_rds.pdf](https://www.tn.gov/content/dam/tn/education/standards/ss/Social_Standa_rds.pdf).\*
- U. Okla. State Dep't of Educ., *Oklahoma Academic Standards for Social Studies, Pre-K–12* (2019), <https://perma.cc/H95Y-FAZN>.\*
- V. Okla. State Dep't of Educ., *2021 Oklahoma Academic Standards for English Language Arts* (2021), <https://perma.cc/D7GD-DFT6>.\*
- W. New Hampshire Commission for Human Rights,  
<https://www.humanrights.nh.gov/>.
- X. Declaration of the Center for Black Educator Development.
- Y. Off. of Mgmt. and Budget, Analytical Perspectives Budget of the U.S. Government: Fiscal Year 2025 (2024),  
<https://www.govinfo.gov/content/pkg/BUDGET-2025-PER/pdf/BUDGET-2025-PER.pdf>.\*
- Z. *Diversity, Equity, and Inclusion*, Merriam-Webster, <https://perma.cc/Y879-7HB2>.
- AA. *Diversity*, Merriam-Webster, <https://perma.cc/XZ8W-KAVJ>.
- AB. *Equity*, Merriam-Webster, <https://perma.cc/9PJW-JHE9>.
- AC. *Inclusion*, Merriam-Webster, <https://perma.cc/CHW8-FGP5>.

- AD. John Back, *President Pinto shares message regarding future of DEI at UC, UC News* (Feb. 21, 2025), <https://perma.cc/D8HM-ZSDB>.
- AE. Amy Parsons, *Feb. 18: New Federal Directives, Colorado State University Federal Updates* (Feb. 18, 2025), <https://perma.cc/3GGQ-68K5>.
- AF. Univ. of Neb. System, *A message from President Gold on OCR's 'Dear Colleague' letter*, (Feb. 21, 2025), <https://perma.cc/ET78-B7ZV>.
- AG. Danielle James, *Muskegon Community College suspends DEI programs amid Trump mandates*, M Live (Mar. 7, 2025), <https://perma.cc/6CV3-NTRU>.
- AH. Press Release, U.S. Dep't of Educ., U.S. Department of Education Cancels Additional \$350 Million in Woke Spending (Feb. 13, 2025),  
<https://perma.cc/VT57-LXEX>.
- AI. Press Release, U.S. Dep't of Educ., U.S. Department of Education Cuts Over \$600 Million in Divisive Teacher Training Grants (Feb. 17, 2025),  
<https://perma.cc/K2N4-UUN7>.
- AJ. Jennifer Smith Richards & Jodi S. Cohen, *Education Department “Lifting the Pause” on Some Civil Rights Probes, but Not for Race or Gender Cases*, ProPublica (Feb. 20, 2025), <https://perma.cc/F3TW-K8XP>.
- AK. Jodi S. Cohen & Jennifer Smith Richards, *Massive Layoffs at the Department of Education Erode Its Civil Rights Division*, ProPublica (Feb. 20, 2025),  
<https://perma.cc/6632-A9X4>.
- AL. Moms for Liberty, ‘End DEI’ portal is ‘culmination’ of her efforts, says M4L co-founder Justice (Mar. 5, 2025), <https://perma.cc/95M3-MKYU>.

- AM. Moms for Liberty, DEAR COLLEAGUE, Facebook (Feb. 15, 2025),  
[https://www.facebook.com/story.php?story\\_fbid=935218675478809&id=100069720560290](https://www.facebook.com/story.php?story_fbid=935218675478809&id=100069720560290).
- AN. Moms for Liberty, DEI Tug of War in Wake County Schools Stirs Tensions Among Board, Parents (Feb. 20, 2025), <https://perma.cc/3B8D-W5WN>.
- AO. Moms for Liberty Hillsboro Co, NH, X (Nov. 12, 2021), <https://perma.cc/L9YE-7HZJ>.
- AP. Press Release, U.S. Dep’t of Educ., Cancelation of Grants and Contracts to Columbia University (Mar. 7, 2025), <https://perma.cc/96Y4-CNC2>.
- AQ. Letter from Josh Gruenbaum, Comm’r of the Fed. Acquisition Serv., Gen. Servs. Admin., et al., to Dr. Katrina Armstrong, Interim President, Columbia University (Mar. 13, 2025), <https://perma.cc/RNC4-E3GY>.
- AR. Letter from Richard W. Riley, Sec’y of the Dep’t of Educ., to Colleagues (Jan. 19, 2001), <https://perma.cc/K9ZM-Z7L9>.
- AS. Letter from Catherine E. Lhamon, Assistant Sec’y for C.R., Off. of C.R., to Colleagues (Oct. 1, 2014), <https://perma.cc/5343-RZCQ>.
- AT. *What is Test Optional?*, FairTest, <https://perma.cc/E5CN-V55W>.
- AU. Christopher T. Bennett, *Untested Admissions: Examining Changes in Application Behaviors and Student Demographics Under Test-Optional Policies*, American Education Research Journal 180 (2022), <https://perma.cc/SB33-JWL7>.
- AV. Roy O. Freedle, *Correcting the SAT’s Ethnic and Social-Class Bias: A Method for Reestimating SAT Scores*, 73 Harvard Educational Review 1 (2003).

- AW. William C. Kidder, *How the SAT Creates “Built-In-Headwinds”: An Educational and Legal Analysis of Disparate Impact*, 43 Santa Clara Law Review 131 (2002), <https://perma.cc/XK78-CMXH>.
- AX. Letter from U.S. Dep’t of Educ., Off. of C.R. to Dr. Jason Reynolds, Superintendent, Peoria Unified Sch. Dist. (Sept. 30, 2022), <https://perma.cc/NWB7-AZBR>.
- AY. Resolution Agreement, East Side Union High School District, Case No. 09-14-1242 (Dec. 13, 2017), <https://perma.cc/ZB6P-4P9U>.
- AZ. Exec. Order No. 14190, “Ending Radical Indoctrination in K-12 Schooling,” 90 Fed. Reg. 8,853 (Jan. 29, 2025).
- BA. Exec. Order No. 14151, “Ending Radical and Wasteful Government DEI Programs and Preferencing,” 90 Fed. Reg. 8,339 (Jan. 20, 2025).
- BB. Exec. Order No. 14173 entitled “Ending Illegal Discrimination and Restoring Merit-Based Opportunity,” 90 Fed. Reg. 8,633 (Jan. 21, 2025).
- BC. Hannah Parry, *DOGE Announces it’s Slashing \$881M from Education Department Contracts*, Newsweek (Feb. 11, 2025), <https://perma.cc/642U-T5GB>.\*

Dated: March 21, 2025

/s/ Sarah Hinger  
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\*Admitted pro hac vice